

AMENDED IN SENATE JULY 2, 2008
AMENDED IN SENATE JUNE 11, 2008
AMENDED IN ASSEMBLY MAY 6, 2008
AMENDED IN ASSEMBLY APRIL 10, 2008
AMENDED IN ASSEMBLY APRIL 2, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2904

Introduced by Assembly Member Hayashi

February 22, 2008

An act to add Section 16502.5 to the Welfare and Institutions Code, relating to county child welfare services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2904, as amended, Hayashi. County child welfare services: mortality review.

Existing law requires counties to establish and maintain specialized entities within the county welfare department to provide child welfare services.

This bill would allow a county board of supervisors to receive and review certain information relating to the death of a child who had previously come to the attention of, or was under the supervision of, the county child welfare agency, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) In order to execute their responsibilities in overseeing the
4 administration of the child welfare services and foster care
5 programs, county boards of supervisors ~~and their members~~ have
6 a compelling interest in accessing case information when a child,
7 who has previously come to the attention of, or was in the
8 protective custody of, the county child welfare agency dies.

9 (b) It is the intent of the Legislature to clarify that boards of
10 supervisors may access otherwise confidential case information
11 when a child who has previously come to the attention of, or was
12 in the protective custody of, the county welfare agency dies.

13 SEC. 2. Section 16502.5 is added to the Welfare and
14 Institutions Code, to read:

15 16502.5. (a) Notwithstanding any other provision of law, a
16 county board of supervisors may receive and review any records
17 in the custody of the juvenile court or any other involved county
18 agencies relating to a child who has died and who had previously
19 come to the attention of, or was under the supervision of, the county
20 child welfare
21 agency.

22 (b) The board may only receive and review the information in
23 closed session. A board of supervisors in a county with a foster
24 care population of more than 10,000 may take formal action to
25 permit individual board members' offices to receive and review
26 the information for the purpose of determining which cases should
27 be brought to the attention of the full board in closed session. *The*
28 *information or records obtained shall be maintained in a manner*
29 *that ensures the maximum protection of privacy and confidentiality*
30 *rights.*

31 (c) The board or its members *and staff* may not disclose or
32 release any information obtained pursuant to subdivision (a), unless
33 otherwise permitted by *state* law, and shall be bound by all state
34 and federal confidentiality laws.

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